

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ERIC FLORES,

Petitioner/Plaintiff,

v.

No. 15cv937 JCH/WPL

UNITED STATES ATTORNEY GENERAL,

Defendant.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on Petitioner's Letter to the Court and Clerk, Doc. 2, filed October 19, 2015.

Petitioner is a restricted filer. *See* Doc. 12, filed December 12, 2012, in D.N.M. No. 12cv1165 JCH/RHS. Based on Petitioner's "egregious history of repetitively filing frivolous and delusional lawsuits in this and other federal courts," the Court concluded that filing restrictions were appropriate. *Id.* at 1-2. The Court ordered that Petitioner may not file a lawsuit in this Court "unless either (i) an actively and currently licensed attorney who has been admitted to practice before this Court signs the complaint and represents him or (ii) Flores first obtains permission to proceed *pro se*." *Id.* at 2.

In April, 2015, Petitioner submitted a Petition to Challenge the Constitutionality of the First Amendment, *Eric Flores v. United States Attorney General*, an Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form), a Judicial Notice of Adjudicative Facts, and a Motion to Transfer Multidistrict Litigation to the District of Columbia. *See* Doc. 1. Chief United States Magistrate Judge Karen B. Molzen "decided to not permit [Petitioner] to initiate this new case because it is factually frivolous and cannot be salvaged by amendments."

Doc. 1 at 1. Chief United States District Judge M. Christina Armijo approved Chief Magistrate Judge Molzen's decision to not permit Petitioner to initiate a new case *pro se*. *See id.* at 2. Petitioner did not file a complaint signed by a licensed attorney admitted to practice before this Court. The Court did not open a civil case.

Petitioner subsequently submitted a letter, dated October 12, 2015, along with a Civil Cover Sheet, an Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form), a Judicial Notice, and a Petition to Challenge the Constitutionality of the First Amendment. *See Doc. 2.* Petitioner states he is proceeding *pro se*.

Petitioner has been denied permission to proceed *pro se* and is not represented by a licensed attorney. Within 21 days of entry of this Order, Petitioner must cause an attorney licensed to practice in this Court to enter an appearance in this case on Petitioner's behalf. Failure to timely comply with this requirement may result in the dismissal of this case. Any papers that Petitioner files in response to this Order must include the civil cause number (No. 15cv937 JCH/WPL) of this case and should be mailed to:

Clerk of Court
Pete V. Domenici United States Courthouse
333 Lomas Blvd. NW, Suite 270
Albuquerque, NM 87102.

IT IS ORDERED that Petitioner shall, within 21 days of entry of this Order, cause an attorney licensed to practice in this Court to enter an appearance in this case on Petitioner's behalf.



UNITED STATES MAGISTRATE JUDGE